



McCabe, and Travis McDonald, have acted illegally, unlawfully, and unconstitutionally in order to hold BARNES in either Solitary Confinement with a Level One Classification or in the North Texas State Hospital Maximum Security Unit in Vernon, Texas. BARNES timely requested and was deprived of a full *Franks* hearing and examining trial. BARNES immediately requested and was deprived of a speedy trial. BARNES timely requested and was deprived of discovery and clear *Brady* material. In order to deprive BARNES of due process, due course of law, and the ability to clear her name, the STATE OF TEXAS and WILLIAMSON COUNTY breached the bail bond surety contract and engaged in a malicious aggravated kidnapping of BARNES on February 28, 2011. After re-arresting BARNES under a pretense of a "bond revocation" (when BARNES had not violated any term or condition of the bond contract), and without affording BARNES any notice, hearing, or opportunity to be heard, BARNES was incarcerated and held without bond. Thereafter, BARNES was not permitted to fire the clearly incompetent and unethical court-forced attorney. Then, the court-forced attorney retaliated against BARNES and violated the disciplinary rules of professional responsibility and due process by conspiring with the malicious prosecutor to abuse CCP article 46B without affording any due process to BARNES in order to isolate BARNES in Vernon, Texas in a Maximum Security Prison/State Hospital to further deprive her of any law library, Internet, ability to conduct research, prepare briefs, file motions, or obtain hearings. BARNES has had no access to her files, evidence, or research in over six months. BARNES requested the appointment of a competent, ethical, and knowledgeable attorney to represent her interest in the habeas corpus proceedings and this appeal. It is physically impossible for BARNES to present a habeas corpus or prosecute this appeal without the appointment of an attorney. BARNES is not permitted to access the Internet or any law library in her current incarceration. BARNES has no access to funds. BARNES has

had no ability to earn her livelihood ever since February 28, 2011 due to the criminal actions of the State of Texas, Williamson County, Doug Shaver, Alan Schreiber, Robert McCabe, Travis McDonald, and John Bradley, with malice. At all relevant times, BARNES has been deprived of due process; her right to represent herself or to appear through counsel or both; her right to pre-trial bail; right to a jury determination on competency as provided under Texas Code of Criminal Procedure article 46B; her right to a fair and impartial tribunal; her right to a speedy trial; and her right to equal protection under the law. All of these events were set in motion by Dennis Tumlinson, Travis County Sheriff's Department, Travis County Jail, and perpetuated by Ron Morgan, Bill Swaim, Irma Guerrero, and the supervisors of Dennis Tumlinson in an effort to cover-up for his unlawful and unconstitutional actions. Bill Swaim has actively aided, assisted, and abetted the malicious prosecutors in Williamson County and the two Sheriff's departments have acted in concert to harm and injure another and to forever deprive BARNES of valuable constitutionally protected civil rights.

## II.

BARNES seeks leave of this court to proceed *in forma pauperis* and requests that this Court allow her to proceed and waive the filing fees, docketing fees or other fees, and exempt her for paying any fees, costs, or invoices since she is involuntarily unemployed and involuntarily and violently incarcerated with malice. Alternatively, BARNES requests a reasonable monthly payment.

## III.

WHEREFORE, BARNES files this motion for leave to proceed *in forma pauperis* and ask this court to exempt her from the payment of fees and costs. BARNES prays that this Court grant all requests herein. BARNES prays that this court grant her leave to proceed *in*

*forma pauperis* or alternatively, that BARNES be permitted to pay out the fees in reasonable monthly installments. BARNES prays for such other and further relief to which she may be justly entitled, whether at law or in equity.

Respectfully submitted,



Carolyn Barnes  
N.T.S.H. - Maples  
P.O. Box 2231  
Vernon, Texas 76385

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint are true and correct.
2. I understand that it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand that I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground that they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire \$350.00 filing fee and costs assessed by the Court, which shall be deducted in accordance with the law from my inmate account by my custodian until the filing fee is paid.

Signed this 6<sup>th</sup> day of January 2012.



Carolyn Barnes